G. R. S. 58

Previous references.

Rev. Dept. 08 Sel 12-4-1.113 08
P. W. No. 1 of (A 10 subs) 1908—9
(Genl Fin)

File No. 113-

Serial Nos. 3 &

Later references.

4-7-08-14-B.88 42

PIIE

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. -324

Part B. for January 1909

SUBJECT.

Sanctioning an advance of Rs 9'300/- to the D.C. Mysore to deposit the purchase money of the Artware manufactory at Mysore belonging to Ahmed Ali & Mahomed Moukdum.

---

3) From the Deputy Commr.
No. 392/573 & 11.1.09. (R.2354)
Requests that a sum of Rs 9300/- may be placed at his disposal to satisfy the demand of the court under the decree of which the building was auctioned & was knocked down to him on behalf of Govt.

GPB...8,000—7-1-07

4) To the D.C. Mysore & Comptroller
No. 2E 3096-7 & 15.1.09
Sanctions the D.C's request

G.R.S. 11]

190 8-9

GENERAL AND REVENUE SECRETARIAT.

(Genl Sec)

NOTES.

File No. 11 3.

FILE HEADING.

Sale of the Artwarie Manufactory at Mysore

From The Deputy Commissioner Kolar

No. 51 Dated 11.1.1907 Received

Diary No. 107.	Enclos.	Spare Copies.	Serial No. 2

BRIEF ABSTRACT OF LETTER.

Requests that a Government order may be passed to the effect that the Mysore Government will not interfere with the Arwarie manufacture in the Kolar District

NOTES AND ORDERS.

NOTES—First sheet.

GPB—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

97 File No. 113 of 1908

2

Serial No.

C. 1.

INDIAN TELEGRAPHS. b2330

1

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay.	
Rs.	As.

Office Stamp. BANGALORE CITY CENTRAL POST 11 JA. 09

Office of Origin.	Hour.	Minute.	Service Instructions.
Ended in at Mysore	11		

TO Revenue Secretary
Bangalore C.P.

Arms and Ammunition factory sold vide Govt order ~~~~ financial 1770 scale Barracks to government 9300 Proceeds by wire for deposit letter follows

Sept 11

Deputy Commissioner

N. B.—The name of the Sender, if telegraphed, is written after the text.

7

G.O. No 1770 dt 6-10-1908 relating to Sec 7 113-08

the question is Submitted

12/1/09 Govt are one of the Scheduled creditors, as will be seen from the above G.O. It is not known why the purchase money should not be set against the amount of decree and why a deposit is insisted on. Perhaps the rules of practice do not permit of this being done. Bring may be consulted. 12.1 P.T.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

To Branch iii for favour of opinion and
12-1-9

Received at 5.30 pm. 12/1/09 SLB.

I understand the Sale is held by a Receiver to an insolvent's property. As the Government is a scheduled creditor, holding a mortgage of the property now sold, they can rightly ask for the deposit being set off against their debt. But I see from the file that the total amount due to Govt on 30th June 1908 is Rs 7826/11/4 while the property is now knocked down for Rs 9300/-. Government is only entitled to a sum less than this and the difference must therefore be deposited.

No definite rules are prescribed in regard to Conducting of Sales by Receivers, but generally they are conducted on the same manner as Execution Sales. In the latter it is usual to allow decree-holders to set off their decretal amount against the purchase money and Government may rightly insist

GPB—50,000—17-3-07

Serial No.

on the Same being done ~~also~~ up to the limit of their loan. But this rule is subject to the qualification that the Courts may, in particular Cases, refuse this Concession and insist on a Cash deposit. It is not clear from the file whether any Such directions have been made by the Court in this Case.

Unlike as in an Execution Sale a receiver is entitled to Commission in Sales held by him in pursuance of insolvency proceedings. A Sum Sufficient to meet Such charge will necessarily have to be deposited by purchasers, Even though Set off may be allowed for the balance.

The telegram of the deputy Commr does not Supply information on three various points. To be on the Safe Side, the difference between the amount due to Govt on this date and the purchase money realised at the auction may be placed ~~be~~ to the Credit of the Deputy Commr with instructions to deposit only as much

GPB—50,000—17-3-07

Serial No.

As is absolutely necessary —
If the Court has directed that the full amount must be deposited in Cash — which is unlikely — the order of the Court will of Course have to be obeyed.
13/1 too to Jan. 09. SBiingaramaiya

The Dy Comm'rs letter referred to in his telegram is forwarded to Branch iii for information. May the whole amount be authorised to be held at the disposal of the Court in the Circ? explained by the Dy Comm'r? It is presumed that all that is req? is that the treasury Sh' credit the amount as a provisional deposit held at the disposal of the Court —

15/1/09

15.1.09. full
See the letter. The amount may be placed at the disposal of the Dy

GPB—50,000—17-3-07

Serial No.

Comm^r as requested by him -
15.1.09.
Subs with a chan draft.
mk 15/1.

Done
mk
15/1/09

4 To D.C. Mysore & Comptroller
No: H 3096-7 D 15/1/09
States that a sum of Rs 9300 will be advanced for being held as a deposit at the disposal of the Court & that orders regarding the adjustment of the advance will be issued on receipt of a report from the Deputy Commissioner regarding the disposal of the building bought by Govt., requests the D.C. to expedite the submission of a report in the matter and directs the Comptroller to issue immediate orders to the Treasury to credit the amount to Judicial deposits by debit to advances recoverable.

NOTE—Contn. sheet.

GPB—50.000—13-5-08

1908-09

From

The Municipal Commissioner
Mysore District

To

The Secretary to the Govt
of Mysore

Dated 11th Genl & Rev Dept

Despatched Jany 09.

Received D2357

General No. 392

Lett No. 573.

Enclosure No.

Requesting to place
the Sum of Rs 9300/-
at the Disposal of the
Municipal Commissioner to
satisfy the demand
of the Govt &c

E. K.

Recd 15/1.

15/1.

No.
Enc. No.

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,
Dated Mysore Camp 11th January 1909.

To
K. S. Chendrasekara Iyer, Esq., B. A. B. L
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

Sir,

In pursuance of Government order No. 7 L 1770-2 Gl-7 in 113-08-02 dated 6th October 1908 I instructed Mr. V. K. Sunderarajengar Assistant Commissioner Mysore Division to bid on behalf of Government at the sale of the Artware Manufactory at Mysore belonging to Ahmed Ali and Mahomed Abdulla fixed on the 10th instant. (yesterday) subject to the terms of Government laid down in their order above cited.

He now reports in his official Memorandum No 165 of date that the sale of the building known as the Artware Manufactory at Mysore was knocked down to him

him on behalf of Government for Rs 9300/-
the highest bid offered. As under
the terms of Section 307 of the Civil Procedure
Code, 25% of the purchase money has
to be paid immediately to the Court as
per receipt order already received
I beg in confirmation of a telegram
addressed to you separately today, that
funds to the full extent of Rs 9300/-
may be placed at my disposal in view
to satisfy the demand of the Court.
This Amount will eventually be returned
to Government by the Court in adjustment
of the loan due by the debtors.

I have the honor to be
Sir
Your most obedient Servant

Deputy Commissioner
Mysore District

Fair Draft

G.R.S. 28]

File No. 113-08

Serial No. 4

Diary No. of letter replied to 2389

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 190

Date of issue 15 January 09

Signed by Wilson Rainsford

Sheriff Ali & Mohamed Yakkoob.

READ—

Ltr No. Fl 1770-2 & 6-10-1908 stating that Govt. Consenting to the Saligramam manufacturing Co. have no objection to the building being built

Subject to the condition of the Govt debt being the first charge on the sale proceeds and authorising the Dy Com^r to bid for the building up to the account at which it has been valued by the P.W.Dept, and directing that the articles supplied by the Manufacturing Co either bought in for Govt at a reduced price or sold by auction, the value of sale proceeds being credited to Govt towards the amount of debt outstanding against

ORDER THEREON.—No.

Lr a

Letter No. 392/5-73 dy 11th Jan 09 from the Deputy Commissioner reporting with reference to the above order that the property was knocked down to the Govt for Rs 9300 at the auction held on 10th Jan and requesting the amount may be made over

SUBJECT

available for being deposited as ordered by the Court.

Order thereon No H3096

dt 15-1-09

An order

An sum of Rs 9300 will be advanced for being held as a deposit at the disposal of the Court. Orders regarding the adjustment of the advance will be issued on receipt of a report from the Deputy Commissioner regarding the disposal of the building bought by Govt. The Dy. Comr will expedite the submission of that a report in the matter. The Comptr is requested to issue immediately orders to the treasury to credit the amount to Judicial Deposits by debit to Advances Recoverable.

Sd/- for H Secretary

15/1/09

To the Dy. Comr Bangalore

The Comptroller & Auditor of H.H.

Sd/-

15/1